



**National Science Foundation • Office of Inspector General**  
2415 Eisenhower Avenue, Alexandria, Virginia 22314

December 5, 2019

Anthony Lauzon  
[83962-38225742@requests.muckrock.com](mailto:83962-38225742@requests.muckrock.com)

Via E-mail

FOIA Request No. F-20-012

Dear Mr. Lauzon:

You sent an inquiry to the National Science Foundation Office of Inspector General (NSF OIG) on December 2, 2019, in which again seek information under the Freedom of Information Act (FOIA), 5 USC § 552. In the most recent inquiry, you seek information that is largely duplicative of information that you sought in the following requests: 20-005; 20-008 and 20-009. Please note that the assigned tracking number for your most recent request is: F-20-012. In your own words, you now seek the following:

*Any and all available records pertaining to any human subject experimentation program or programs operating in Philadelphia during the years 2015-Current, including but not limited to any and all records pertaining to human experimentation with respect to the following grant money codes:*

*DARPA N66001-14-2-4032  
Grant #1R01N5099348  
NIH R01 NS099348  
NSF BCS-1441502  
NSF BCS-1631550*

*Also, please include documents related to any University of Pennsylvania related research programs involving human subjects for the above years. In particular, those involving but not limited to virtual neuroscience, experimental neuroscience, brain-computer interface development, brain-computer communications, post traumatic stress treatments, and/or military training. The following University of Pennsylvania human research IRB human research protocol numbers may be of use during your search, but their reference is not required:*

*PROTOCOL #: 819126  
PROTOCOL #: 811097*

*Additionally, and again in order to aide your search, please search for the following researchers. As before, please include any human research related documentation with respect to Philadelphia in the above years whether or not these researchers are are referenced either individually or in any combination:*

*Dr. Danielle Bassett*

*Dr. Timothy Lucas*

*Dr. Brian Litt*

*Dr. Paul Wanda*

*Dr. Dan Rizzuto*

*The following titles may be but should not be treated as necessarily of some use to you in your queries:*

*The International Epilepsy Electrophysiology Database*

*Restoring Active Memory*

*Cognitive Prosthetics*

To the extent that your most recent request now seeks information about named individuals about whom you have not previously inquired, please note that NSF OIG is unable to confirm or deny the existence of records responsive to your request. Without consent, proof of death, official acknowledgement of an investigation, or an overriding public interest, confirming or denying the existence of law enforcement records concerning an individual would constitute a clearly unwarranted invasion of personal privacy. *See* 5 U.S.C. § 552(b)(7)(C).

You have previously been provided with a link to what has been posted and is already available to the public. That link, again, is as follows: [https://www.nsf.gov/oig/\\_pdf/19-1-013\\_University%20of%20Pennsylvania.pdf](https://www.nsf.gov/oig/_pdf/19-1-013_University%20of%20Pennsylvania.pdf).

Due to the overlap in your various prior requests, NSF OIG has not conducted a new search. Moreover, as you were informed in the response to 20-005, the specific level of detail which you seek is not part of the records maintained at the NSF OIG. In other words, NSF OIG's records do not specifically address the level of detailed particulars in your request. Some of that information may, however, be maintained at the NSF (rather than the NSF OIG). Accordingly, you may wish to file a FOIA request with NSF, which has a separate FOIA office. To file a FOIA request with NSF, please refer to the following link: <https://www.nsf.gov/policies/foia.jsp>.

If you seek further assistance or wish to discuss any aspect of your request, please contact me, the OIG's FOIA Public Liaison, at (703) 292-7100 or [foiaig@nsf.gov](mailto:foiaig@nsf.gov). Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road – OGIS, College Park, MD 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at (202) 741-5770; toll free at 1(877) 684-6448; or facsimile at (202) 741-5769.

If you are not satisfied with the OIG's response to your request, you may administratively appeal by writing to the Counsel to the Inspector General, Kenneth Chason, Office of the Inspector General, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314. Alternatively, you may appeal directly to the General Counsel of the Foundation, at the same address.<sup>1</sup> Your appeal must be postmarked or electronically transmitted within 90 days from the date of this response.

Additionally, please note that Congress has excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Sincerely,

/s/

Elizabeth Sweetland  
Assistant Counsel to the Inspector General  
National Science Foundation  
Office of Inspector General

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<sup>1</sup> For appeals to NSF's General Counsel, note the requirements of 45 C.F.R. § 612.9(a): "You must make your appeal in writing and it must be received by the Office of the General Counsel within ten days of the receipt of the denial (weekends, legal holidays, and the date of receipt excluded). Note that this 10-day time period has been superseded by recent legislation enacting a 90-day time period, referenced above. Clearly mark your appeal letter and the envelope 'Freedom of Information Act Appeal.' Your appeal letter must include a copy of your written request and the denial together with any written argument you wish to submit."